

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

- against -

ALBERTO WILLIAM VILAR, a/k/a “Albert Vilar,” and GARY ALAN TANAKA

Defendants.

S3 05 Cr. 621 (KMK)

ECF CASE

**ORDER RE: DISBURSEMENT OF CASH SECURITY**

WHEREAS, on August 23, 2006, defendant Gary Tanaka applied to the Court to modify his bail conditions, *inter alia*, to permit the release of the remaining \$500,000 cash securing the \$10,000,000 personal recognizance bond signed by Mr. Tanaka on June 3, 2005, as well as any interest earned with respect to the \$500,000 (collectively, the “Released Funds”);

WHEREAS, on August 24, 2006, the Court granted defendant Gary Tanaka’s request that the conditions of his bail be modified to permit the release of the Released Funds, so that this money may be used toward Mr. Tanaka legal fees and expenses;

WHEREAS, the Court issued a written order on August 27, 2006, directing that the Clerk of Court issue a check in the amount of the Released Funds in the name of WILSON, SONSINI, GOODRICH & ROSATI TRUST ACCOUNT (“Attorney Trust Account”);

WHEREAS, this check was issued and subsequently deposited into the Attorney Trust Account;

WHEREAS, Mr. Tanaka currently requests that, for personal reasons, the Released Funds be transferred from the Attorney Trust Account to Mr. Tanaka,

WHEREAS, Mr. Tanaka has not fully briefed his attorneys on his personal reasons for the requested relief, but requested that his attorneys inform the Court that: 1) in the need to expedite the raising of the \$11 Million bail following the Memorial Day weekend, the Tanaka family utilized all sources of available cash at their disposal without regard to accounting considerations; and 2) prior to Wilson Sonsini Goodrich & Rosati (“WSGR”) applying the Released Funds from the Attorney Trust Account to legal fees and expenses, Mr. and Mrs. Tanaka now find it necessary to make certain adjustments so that separate individual funds and joint funds are properly restored, as well as funds which were initially held in U.S and U.K. tax categories, and

WHEREAS, Mr. Tanaka represents that, within a week of his receipt of the Released Funds, Mr. Tanaka will transfer an amount equal to the Released Funds to Wilson Sonsini Goodrich & Rosati;

It is hereby ORDERED that Wilson, Sonsini, Goodrich & Rosati transfer the Released Funds to Gary Tanaka at the account ending in [last four digits] at [bank name];

It is further ORDERED that, within one week of Mr. Tanaka’s receipt of the Released Funds, Gary Tanaka shall transfer an amount equal to the Released Funds to Wilson Sonsini Goodrich & Rosati, which will be used to cover legal fees and expenses incurred by Mr. Tanaka’s attorneys in connection with these proceedings.

SO ORDERED.

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Judge Kenneth M. Karas  
United States District Judge